IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION (MAIN) NO. 159 OF 2007

UTTAM GAUDE AND 15 ORS., ... Appellants
Versus
STATE REPRESENTED BY PUBLIC PROSECUTOR ... Respondent

Mr. Nitin Sardessai, Advocate for the petitioner.
Ms. Winnie Coutinho, Public Prosecutor for the respondent.

Coram:- N. A. BRITTO, J.

Date:- 5th July, 2007

P.C.

Heard Shri Sardessai, learned Counsel on behalf of the petitioner/accused and Ms. Winnie Coutinho, learned Public Prosecutor on behalf of the respondent.

There were certain mistakes in the judgment of the Trial Court which have been corrected by the learned Trial Court upon an application filed by the respondent, and thereafter a revision filed against the same has been dismissed by learned Additional Sessions Judge.

Learned Counsel on behalf of the petitioner/accused makes a statement that although the application on behalf of the respondent before the Trial Court for correction of the said errors or mistakes was made earlier, the same was decided by the Trial Court after the petitioner/accused had filed an appeal against the judgment of the learned Trial Court.

Considering that the entire judgment of the Trial Court is now before the learned First Appellate Court, and all errors or mistakes can be corrected by the learned Sessions Judge, in my view, it is not necessary to

entertain this petition in this Court in its extra-ordinary jurisdiction. Nevertheless, it is directed that the learned Additional Sessions Judge before whom the appeal filed by the accused/petitioners is pending shall deal with the said appeal without being influenced by the observations made by him in his order dated 18.6.2007 or the corrections carried out by the learned Trial Court by order dated 8.11.2006.

With the above observations, the petition is disposed off.

N. A. BRITTO, J.

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